

## MINUTES OF MEETING – MARCH 29, 2005

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29<sup>th</sup> day of March, 2005, the Commissioners' Court convened the regular Voting Session at 9:17 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:24 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:52 PM and adjourned at 1:55 PM.

The Commissioners Court reconvened the regular Voting Session at 1:55 PM.

The Commissioners Court retired to Executive Session at 4:50 PM.

The Commissioners Court reconvened the Voting Session at 5:53 PM.

The Commissioners Court adjourned the Voting Session at 6:00 PM.

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### RESOLUTIONS & PROCLAMATIONS

1. APPROVE PROCLAMATION RECOGNIZING THE CONTRIBUTIONS OF DAMON JAY MILLER TO THE CITIZENS AND EMPLOYEES OF TRAVIS AND BASTROP COUNTIES. (COMMISSIONER DAUGHERTY) (9:18 AM)

**Members of the Court heard from:** Alonzo Reyes, Deputy, Constable Precinct 3 Office; Stacy Suits, Chief Deputy, Constable Precinct 3 Office; and Jay Miller, Deputy, Constable Precinct 3 Office.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the proclamation in Item 1.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. APPROVE PROCLAMATION DECLARING APRIL 2 THROUGH APRIL 9, 2005 AS "WILDFIRE AWARENESS WEEK" IN TRAVIS COUNTY. (COMMISSIONER DAUGHERTY) (9:25 AM)

**Members of the Court heard from:** Simon Broussard, Travis County Fire Marshall; Lexie Maxwell, Urban Wildland Interface Specialist, Texas Forest Service; Jan Fulkerson, Urban Wildland Interface Specialist, Texas Forest Service.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the proclamation in Item 2.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Emergency Services; Melanie McAfee, Travis County Resident; and Trek English, Travis County Resident. (9:36 AM)



5. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACTS FOR NEWSPAPER ADVERTISING: (9:49 AM)
- A. NO. 02T00200MP, AUSTIN CHRONICLE;
  - B. NO. 02T00201MP, TIENG VIET MAGAZINE;
  - C. NO. 02T00222MP, THE VILLAGER;
  - D. NO. 02T00223MP, WESTLAKE PICAYUNE;
  - E. NO. 02T00224MP, OAK HILL GAZETTE;
  - F. NO. 02T00225MP, LA PRENSA NEWSPAPER;
  - G. NO. 02T00226MP, EL MUNDO NEWSPAPER; AND
  - H. NO. 02T00227MP, ARRIBA ART & BUSINESS NEWS. (PURCHASING)  
(COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 5.A-H approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. REJECT SOLE BID RECEIVED FOR IFB NO. B050034DR FOR DUAL ANTENNA RADAR UNITS. (TCSO) (COMMISSIONER GÓMEZ) (9:49 AM)

**Clerk's Note:** Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE CONTRACT AWARD FOR RESIDENTIAL PLUMBING SERVICES, IFB NO. B050048DR, TO THE LOW BIDDER, 5F MECHANICAL GROUP INC. (HHS) (COMMISSIONER GÓMEZ) (9:49 AM)

**Clerk's Note:** Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. APPROVE CONTRACT AWARD FOR EROSION CONTROL SERVICES, IFB NO. B050046MP, TO THE LOW BIDDER, MATOKA, INC. (TNR) (COMMISSIONER GÓMEZ) (9:49 AM)

**Clerk's Note:** Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 9. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR URINALYSIS DRUG SCREENS: (9:49 AM)
  - A. NO. 03T00221OJ, PHAMATECH, INC. (JUVENILE COURT); AND
  - B. NO. 03T00222OJ, DRUG TESTING SERVICES. (SHERIFF). (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 9.A and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 10. A. RECEIVE BRIEFING REGARDING QUALIFICATION STATEMENTS RECEIVED IN RESPONSE TO RFQ NO. Q050047-MB, PROFESSIONAL CONSULTING SERVICES, TCCC DESIGN BUILD PROJECT; (4:17 PM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING EVALUATION COMMITTEE'S RECOMMENDATION ON FIRMS TO BE SHORTLISTED, SELECT THE HIGHEST RANKED FIRM AND AUTHORIZE COMMITTEE TO COMMENCE NEGOTIATIONS.

**Clerk's Note:** Items 10.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Tenley Aldredge, Assistant County Attorney; Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); and Roger El Khoury, Director, Facilities Management.

**Motion by Judge Biscoe and seconded by** Commissioner Daugherty to approve the recommended shortlist of the top 2 firms, authorize the next step to interview both firms, and rank them.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Items 10.A and B to be reposted on April 5, 2005.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

11. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT FOUR: STONEY RIDGE NORTH POND (SHORT FORM PLAT – 1 LOT – 14.95 ACRES – ROSS ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:49 AM)

**Clerk's Note:** Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT ONE: ELM CREEK, SECTION 3 (LONG FORM PLAT – 28 LOTS – 7.15 ACRES – U.S. HWY 290 – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY M.U.D. NO.14 – CITY OF ELGIN ETJ). (COMMISSIONER DAVIS) (9:49 AM)

**Clerk's Note:** Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: VISTA ROYALE, PHASE 1 (SHORT FORM PLAT – 1 LOT – 38.379 ACRES – FM 620 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WCID 17 – VILLAGE OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY) (9:49 AM)

**Clerk's Note:** Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION TO ADDRESS FLOODING ISSUES ON WALNUT CREEK IN NORTHEAST TRAVIS COUNTY. (9:51 AM)

**Members of the Court heard from:** John Kuhl, Environmental Officer, Transportation and Natural Resources (TNR); Joe Gieselman, Executive Manager, TNR; Kristina Kubeck, Walnut Place Neighborhood Association; Marie Ingram, Travis County Resident; Michael Magner, Travis County Resident; David Thoresen, Travis County Resident; and Trek English, Travis County Resident.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the following steps: 1) touch base with the Texas Commission on Environmental Quality to find out exactly how we can use that \$111,000.00 to assist with addressing this problem; 2) putting together a need/problem description for us to use in the future and with the advisory committee; 3) putting together a combination buyout and bank restoration plan that would include funding that is needed, partners, and any other assistance; and to have this Item back on the Agenda in 2 weeks.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Davis to continue to work with all of the governmental entities involved to ensure that we achieve the maximum out of the Motion, and include and encourage the neighborhood groups.

**Acceptance of the Friendly Amendment was made by** Judge Biscoe.

**Clerk's Note:** Judge Biscoe directed that the documents be ready to distribute to the residents by Friday, April 8, 2005, and that comments would be due by Monday, April 11, 2005, at 12:00pm.

**An Addition to the previous Motion was made by** Judge Biscoe to include an estimate of the money necessary to address the buyout options.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

15. DISCUSS AND TAKE APPROPRIATE ACTION ON A LEASE AGREEMENT WITH THE YMCA OF AUSTIN FOR THE MANAGEMENT AND OPERATION OF THE SWIMMING POOL AT EAST METRO PARK. (COMMISSIONER DAVIS) (4:37 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Roy Turley, Program Manager, Parks, TNR; and Charles Bergh, Division Director, Parks and Natural Resources, TNR.

Discussion Only. No formal action taken.

Item 15 to be reposted on April 5, 2005.

16. DISCUSS AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH WILLIAMSON COUNTY FOR IMPROVEMENTS TO GATTIS SCHOOL ROAD. (COMMISSIONER SONLEITNER) (4:33 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the interlocal agreement in Item 16.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

17. DISCUSS AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY COMMENTS TO CAMPO BOARD OF DIRECTORS REGARDING DRAFT 2030 TRANSPORTATION PLAN. (4:43 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Clerk’s Note:** Commissioner Davis discussed a memo he submitted into the Commissioners Court records indicating his reasons for the Vote he took on this Item March 22, 2005.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the recommendation by Staff to downgrade FM 1825 Spur (Vision Dr.) between Grand Avenue Parkway and FM 1825, and FM 1825 between IH 35 North and Heatherwilde Blvd., to a Major Arterial Divided 4-lane (MAD 4) in the CAMPO (Capitol Area Metropolitan Planning Organization) 2030 plan.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk’s Note:** The Court discussed the changes made to Attachment A, Travis County Comments on CAMPO Mobility 2030 Plan: Regional Project List, and the changes made by Staff to pages 5, 6, and 7, titled “Proposed Upgrade to Recommended 2030 (Additional Projects, Previously Preserve ROW for MAD 4)”. Staff recommended upgrading the roads from Minor Road 2-lane (MNR 2) and preserving the right of way for a Major Arterial Divided 4-lane (MAD 4) to Major Arterial Divided 4-lane (MAD 4) in the CAMPO 2030 plan.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Staff’s recommendation on the upgrade to Major Arterial Divided MAD 4.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

**PLANNING AND BUDGET DEPT. ITEMS**

18. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:49 AM)
- A. GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE 2005 JUSTICE ASSISTANCE GRANT (FORMERLY THE LOCAL LAW ENFORCEMENT BLOCK GRANT LLEBG) IN THE SHERIFF'S OFFICE. GRANT PROVIDES FUNDS FOR LAW ENFORCEMENT EQUIPMENT;
  - B. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE BYRNE FORMULA GRANT FY 05 IN JUVENILE PROBATION. THE DEPARTMENT IS REQUESTING TO HAVE THE TERMINATION DATE OF THE GRANT EXTENDED UNTIL SEPTEMBER 30, 2005;
  - C. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM IN JUVENILE PROBATION. A NEW GRANT PROGRAM TO AUGMENT THE SERVICES PROVIDED BY THE JUVENILE DRUG COURT;
  - D. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM IN JUVENILE PROBATION. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 06;
  - E. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE DOE/OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES. THE CONTRACT CONTINUES THE CURRENT PROGRAM FOR FY 05; AND
  - F. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE HOUSING WEATHERIZATION ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES. THE CONTRACT CONTINUES THE CURRENT PROGRAM FOR FY 05.

**Clerk's Note:** Items 18.A-F approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:49 AM)

**Clerk's Note:** Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### ADMINISTRATIVE OPERATIONS ITEMS

20. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$264,054.34 FOR THE PERIOD OF MARCH 11 THROUGH MARCH 17, 2005. (9:49 AM)

**Clerk's Note:** Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:49 AM)

**Clerk's Note:** Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. RECEIVE AND TAKE APPROPRIATE ACTION ON REPORTS FOR FY05 1<sup>ST</sup> QUARTER HOSPITAL AND INSURANCE FUND AND EMPLOYEE FY04 HEALTH CARE. (9:18 AM)

Item 22 postponed until April 5, 2005.

### OTHER ITEMS

23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:49 AM)

**Clerk's Note:** Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PURCHASE DPS DATA FOR RECONSTITUTION OF JURY WHEEL.  
(9:49 AM)

**Clerk's Note:** Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON ACCEPTANCE OF A DONATION OF \$10,000 FROM THE DOWNTOWN AUSTIN ALLIANCE FOR THE DISTRICT ATTORNEY'S OFFICE. (9:49 AM)

**Clerk's Note:** Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT LESLIE POOL, A PRECINCT TWO APPOINTEE, TO THE TRAVIS COUNTY CITIZENS BOND ADVISORY COMMITTEE, EFFECTIVE IMMEDIATELY.  
(9:49 AM)

**Clerk's Note:** Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 27. A. INTRODUCTION OF SECRETARY OF STATE ROGER WILLIAMS;  
(11:22 AM)
- B. RECEIVE PRESENTATION AND TAKE APPROPRIATE ACTION ON THE HELP AMERICA VOTE ACT, INCLUDING IMPLEMENTATION, FUNDING, ASSISTANCE AVAILABLE FROM TRAVIS COUNTY CLERK AND RELATED ISSUES.

**Clerk's Note:** Items 27.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; and Roger Williams, Texas Secretary of State.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to officially receive the check in the amount of \$4,552,570.00, in Help America Vote Act (HAVA) funds.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REAPPOINT DAVID MARSH TO SERVE AS A TRAVIS COUNTY APPOINTEE TO THE AUSTIN-SAN ANTONIO COMMUTER RAIL DISTRICT BOARD OF DIRECTORS, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2006.  
(9:49 AM)

**Clerk's Note:** Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO INSTRUCT THE PLANNING AND BUDGET OFFICE TO DO THE FOLLOWING: (1:59 PM) (5:56 PM)
  - A. COMPILE AN ESTIMATE OF ALL COSTS FOR PRESENT DELINQUENT TAX COLLECTIONS;
  - B. SUMMARIZE PERFORMANCE DATA FROM RELEVANT COUNTY DEPARTMENTS TO BE PROVIDED IN REPORT FORM TO COMMISSIONERS COURT NO LATER THAN APRIL 12, 2005; AND
  - C. RECEIVE PROPOSED RFI FOR COLLECTION AND ENFORCEMENT OF DELINQUENT PROPERTY TAXES FROM PURCHASING AGENT AND ISSUE RFI FOR COLLECTION AND ENFORCEMENT OF DELINQUENT PROPERTY TAXES, WITH RESPONSES TO BE DELIVERED TO THE COMMISSIONER’S COURT NO LATER THAN APRIL 12, 2005. (COMMISSIONER GÓMEZ)

**Clerk’s Note:** Items 30.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO); Cyd Grimes, Travis County Purchasing Agent; David Escamilla, Travis County Attorney; Dusty Knight, Chief Deputy, Tax Assessor Collector’s Office; Dale Linebarger, Attorney, Linebarger, Goggan, Blair & Sampson; Ken Oden, Attorney, Linebarger, Goggan, Blair & Sampson; Nelda Wells Spears, Tax Assessor Collector; John Banks, Attorney, Perdue, Brandon, Fielder, Collins & Mott; Bryant Smith, Attorney, McCreary, Veselka, Bragg & Allen; and Susan Spataro, Travis County Auditor.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the following changes in the first paragraph in the Request for Information (RFI) document: In the first sentence, to delete the words “to be used as a planning tool”, and delete the word “pay” and substitute “contract with”; that in between the 6<sup>th</sup> and 7<sup>th</sup> sentence that the following sentence be inserted: “Alternatively, Travis County may award a contract based on the information provided in response to this RFI”; to delete the last sentence in the first paragraph; and add the language that we may use the information given in response to the RFI pursuant to the law that allows us to do that.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes





**TO BE TAKEN UP AT 11:00 A.M.**

31. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 79<sup>TH</sup> TEXAS LEGISLATURE. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT) (11:00 AM) (11:41 AM)

**Clerk's Note:** The Court discussed House Bill 2585 (HB2585): Relating to the rates of and billing cycle used by a water and sewer utility.

**Members of the Court heard from:** Harvey Davis, Manager, Travis County Corporations; John Carlton, Attorney, Armbrust and Brown, representing, D. R. Horton; Bob Laughman, President, Aqua Texas; and Andy Barrett, Attorney, Aqua Texas.

**Motion by** Commissioner Davis to encourage Representative Hilderbran, in the form of a letter from Harvey Davis, to specifically address Aqua Texas in House Bill 2585.

**Clerk's Note:** The Motion died for lack of a Second.

Discussion Only. No formal action taken.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to recess the discussion of Item 31.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The Court further discussed Item 31 at 11:41AM.





**ITEM 31 CONTINUED**

**Clerk’s Note:** The Court discussed the following proposed legislation:

House Bill 1519 (HB1519): Relating to the prohibited use of fireworks; providing penalties.

House Bill 1543 (HB1543): Relating to including within conduct proscribed by the offense of obstructing a highway or other passageway certain conduct involving the discharge of fireworks.

House Bill 1629 (HB1629): Relating to creating an offense for certain conduct involving the discharge of fireworks.

House Bill 1650 (HB1650): Relating to prohibiting the sale of fireworks by a person under 18 years of age and to the prosecution of offenses involving fireworks.

House Bill 1651 (HB1651): Relating to prohibiting the sale of fireworks by or to a person under 18 years of age and to the prosecution of offenses involving fireworks.

House Bill 1652 (HB1652): Relating to prohibiting the sale of fireworks to a person under 18 years of age and to the penalty for the unlawful sale of fireworks to certain persons.

House Bill 1722 (HB1722): Relating to creating reasonable regulation of the storage, discharge, safe use, and oversight of fireworks.

House Bill 1723 (HB1723): Relating to including within conduct proscribed by various offenses certain conduct involving the discharge of fireworks.

House Bill 1781 (HB1781): Relating to creating an offense for the discharge of fireworks near a public highway.

House Bill 3150 (HB3150): Relating to protection of animal shelters from fireworks.

**Members of the Court heard from:** Lem Biggs, Assistant Fire Marshal, Travis County Fire Marshal’s Office.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to support the 10 items of proposed legislation listed.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes



## ITEM 31 CONTINUED

**Clerk's Note:** The Court discussed House Bill 3363 (HB3363): Relating to the financing of state highways and the Trans-Texas Corridor.

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney; and Bob Kamm, Travis County Legislative Consultant.

**Motion by** Commissioner Davis to give the legislative consultants direction to follow House Bill 3363.

**Clerk's Note:** The Motion died for lack of a Second.

Discussion Only. No formal action taken.

**Clerk's Note:** The Court discussed House Bill 3071 (HB3071): Relating to the administration and collection of ad valorem taxes; making procedural and technical corrections and clarifications to the Tax Code, Property Code, Business & Commerce Code, and Civil Practice and Remedies Code, and to the repeal of a Transportation Code provision.

**Members of the Court heard from:** Bob Kamm, Travis County Legislative Consultant.

**Clerk's Note:** The Court without objection directed the Legislative Consultants to keep monitoring the proposed legislation and alert the Court of any movement.

Discussion Only. No formal action taken.



33. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON DESIGN AND CONSTRUCTION OF ARTERIAL A, INCLUDING RIGHT-OF-WAY ACQUISITION, IMPACT ON WASTE MANAGEMENT, INC.'S PERMIT CAPACITY AND RELATED TYPE I LANDFILL ISSUES. <sup>1&2</sup> (4:50 PM) (5:54 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to continue to have Arterial A within the Capitol Area Metropolitan Planning Organization (CAMPO) 2030 Plan, however, we also direct Staff to look at other possible alignments west of the boundaries of the landfill.

**A Friendly Amendment to the previous Motion was offered by** Judge Biscoe to authorize the County Judge to draft a letter, run that by Joe Gieselman, Executive Manager, TNR and Tom Nuckols, Assistant County Attorney, informing the Waste Management representative of the County's sentiment at this point, and leaving the door open for further discussions.

**Acceptance of the Friendly Amendment was made by** Commissioner Davis.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

